

FEDERAL RAILROAD ADMINISTRATION (FRA) ENVIRONMENTAL PROCESS

Module 6

Part 1, New Chapter 15 - Pending

Federal Railroad Administration

- New chapter has been developed
 - ▣ Federal Railroad Administration procedures are not the same as FHWA's or FTA's
 - ▣ Rail projects being developed statewide
 - ▣ Current manual focuses on roadway projects
- Chapter is under review by FRA in Washington
- For FRA projects coordination with CEMO is recommended

Federal Railroad Administration

- What does FRA oversee or are involved in?
 - ▣ Railroad safety
 - ▣ Administrator for federal funding for railroads
 - ▣ Heavy Rail in the U.S. except for Alaska
 - ▣ Projects involving federal funds that include freight rail, intercity passenger rail (e.g. AMTRAK and passenger rail)
 - ▣ Lead or cooperate on transit projects that propose to use existing or new heavy rail tracks with FTA

Federal Railroad Administration

- FRA's "Procedure for Considering Environmental Impacts" is described in 64 Federal Register 28545, May 26, 1999
- 23 CFR 771 is only for FHWA and FTA
- 3 Classes of Action under the NEPA
 - ▣ Categorical Exclusion
 - FRA has its own CE Checklist
 - ▣ Environmental Assessment
 - ▣ Environmental Impact Statement
- All require close coordination and approval by FRA
- <http://www.fra.dot.gov>

Service Development Programs

- Aimed at developing new high-speed and/or intercity passenger rail services or substantially upgrading existing services
- Made up of Service Development Plans (SDP) which contain sets of related projects

Service Development Programs

- FRA classifies Service Development Programs into two categories:
 - ▣ Major Capital Projects - Large, complex capital projects
 - ▣ Standard Capital Projects
- FTA designate a Service Development Program as Major or Standard

Individual Projects

- Have a different funding approach than Service Development Programs
- FRA provides support throughout the process

Project Tracks

- Service NEPA – An evaluation addressing the full extent of the overall Service Development Program and its related action(s) and/or
- Project NEPA - Takes place during the PE/NEPA Phase
- FRA determines whether Service or Project level NEPA is needed

Categorical Exclusions

- Categorical Exclusion projects are identified in section (c) of 64 FR 28545 (equivalent to FHWA Type 1 CEs)
- Other actions may be excluded in accordance with CEQ Regulations. These are listed in 64 FR 28545(4)(d)
- A FRA class of action not excluded under subsections (c) and (d) of 64 FR 28545 may be excluded from the requirements for “major FRA actions” if the project satisfies certain criteria

Categorical Exclusions

- The level of detail is dependent upon the magnitude of involvement and the significance of environmental impacts
- Documentation consists of the completed, signed and dated FRA Categorical Exclusion Worksheet
- FRA must concur in writing with the CE recommendation for NEPA requirements to be met

Environmental Impact Statement

- EISs normally include
 - ▣ Construction of new major railroad lines
 - ▣ Construction of new major facilities, or
 - ▣ Any change that will result in a significant increase in railroad traffic
- FRA must be consulted and determines the COA

Planning Screen

- ☐ Begin interagency and public involvement
 - ☐ Develop purpose and need
 - ☐ Determine fatal flaws
 - ☐ Determine the range of alternatives
 - ☐ Identify rail technology
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- ☐ If it's a new rail alignment may conduct a similar process to Alternative Corridor Evaluation

Programming Screen

- Provides more details on the project and builds upon information provided during the Planning Screen
- Assists with identification of relevant issues for assessment during **NEPA** analysis
- Coordination with the FRA should occur at the end of the Programming Screen to determine the project's COA

Similar to FHWA

- EA
 - ▣ Difference- Public hearing not required, determined by FRA
- FONSI
- DEIS and FEIS
 - ▣ Scoping
- Preliminary Engineering
- Reevaluation